



Journal of the House

State of Indiana

115th General Assembly

First Regular Session

Forty-second Meeting Day

Tuesday Morning

April 10, 2007

The House convened at 10:00 a.m. with Speaker B. Patrick Bauer in the Chair.

The Speaker read a prayer for health and well-being (printed January 11, 2007).

The Pledge of Allegiance to the Flag was led by Representative Duane Cheney.

The Speaker ordered the roll of the House to be called:

Austin	Klinker
Avery	Knollman
Bardon	Koch
Battles	Kuzman
Behning	L. Lawson
Bell	Lehe
Bischoff	Leonard
Borders	Lutz
Borror	Mays
Bosma	McClain
C. Brown	Micon
T. Brown	Moses
Buck	Murphy ☐
Buell	Neese
Burton	Niezgodski
Candelaria Reardon	Noe
Cheatham	Orentlicher
Cheney	Oxley
Cherry	Pelath
Cochran	Pflum
Crawford	Pierce
Crooks	Pond
Crouch	Porter
Davis	Reske
Day ☐	Richardson
Dembowski	Ripley
Denbo	Robertson
Dermody	Ruppel
Dickinson	Saunders
Dobis	M. Smith
Dodge	V. Smith
Duncan ☐	Soliday
Dvorak	Stemler
Eberhart	Stevenson
Elrod	Stilwell
Espich	Stutzman
Foley	Summers
Friend	Thomas
Frizzell	Thompson
Fry	Tincher
GiaQuinta	Torr
Goodin	Turner ☐
Grubb	Tyler
Gutwein	Ulmer
E. Harris	VanHaften
T. Harris	Walorski
Herrell	Welch
Hinkle	Whetstone
Hoy	Wolkins
Kersey	Mr. Speaker

Roll Call 472: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, April 12, 2007, at 10:00 a.m.

BATTLES

Motion prevailed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 45

Representative L. Lawson called down Engrossed Senate Bill 45 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 473: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 56

Representative Goodin called down Engrossed Senate Bill 56 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 474: yeas 79, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 68

Representative Dodge called down Engrossed Senate Bill 68 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 475: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Dobis.

Representative Day and Duncan, who had been excused, were present.

Engrossed Senate Bill 504

Representative C. Brown called down Engrossed Senate Bill 504 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 476: yeas 74, nays 23. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 129

Representative Tyler called down Engrossed Senate Bill 129 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was reread a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 477: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 105

Representative Austin called down Engrossed Senate Bill 105 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 478: yeas 91, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 154

Representative Dvorak called down Engrossed Senate Bill 154 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 479: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 171

Representative GiaQuinta called down Engrossed Senate Bill 171 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 480: yeas 75, nays 16. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 190

Representative Welch called down Engrossed Senate Bill 190 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 481: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 205

Representative Dvorak called down Engrossed Senate Bill 205 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning the environment and natural and cultural resources and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 482: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed Senate Bill 206

Representative Crooks called down Engrossed Senate Bill 206 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 483: yeas 77, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 207

Representative Welch called down Engrossed Senate Bill 207 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 484: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:25 p.m. with the Speaker in the Chair.

Representative Turner, who had been excused, was present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 232

Representative Pierce called down Engrossed Senate Bill 232 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 485: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 250

Representative Grubb called down Engrossed Senate Bill 250 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 486: yeas 84, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 286

Representative Dvorak called down Engrossed Senate Bill 286 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 487: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 287

Representative Kuzman called down Engrossed Senate Bill 287 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 488: yeas 96, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 292

Representative Pierce called down Engrossed Senate Bill 292 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 489: yeas 69, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 293

Representative Pierce called down Engrossed Senate Bill 293 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 490: yeas 53, nays 46. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 310

Representative Grubb called down Engrossed Senate Bill 310 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 491: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 315

Representative Austin called down Engrossed Senate Bill 315 for third reading:

A BILL FOR AN ACT concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 492: yeas 83, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 328

Representative Welch called down Engrossed Senate Bill 328 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 493: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 329

Representative Welch called down Engrossed Senate Bill 329 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law and courts.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 494: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 330

Representative Summers called down Engrossed Senate Bill 330 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 495: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 334

Representative Moses called down Engrossed Senate Bill 334 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 496: yeas 59, nays 37. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 339

Representative VanHaaften called down Engrossed Senate Bill 339 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION (Amendment 339-2)

Mr. Speaker: I move that Engrossed Senate Bill 339 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

Page 29, delete lines 12 through 15.
(Reference is to ESB 339 (Printer's Error) as printed April 6, 2007.)

VAN HAAFTEN

There being a two-thirds vote in favor of the motion, the motion prevailed.

COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed Senate Bill 339, begs leave to report that said bill has been amended as directed.

VAN HAAFTEN

Report adopted.

The question then was, Shall the bill pass?

Roll Call 497: yeas 78, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 537

Representative Cheney called down Engrossed Senate Bill 537 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 498: yeas 51, nays 48. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 501

Representative C. Brown called down Engrossed Senate Bill 501 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 499: yeas 79, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 503

Representative C. Brown called down Engrossed Senate Bill 503 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning coverage of health care and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 500: yeas 86, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 401

Representative Kuzman called down Engrossed Senate Bill 401 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 501: yeas 60, nays 39. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 7:55 p.m. with the Speaker in the Chair.

Representative Whetstone rose to a point of order requesting a quorum call. The Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 502: 71 present.

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 44

The Speaker handed down on its passage Senate Concurrent Resolution 44, sponsored by Representatives Koch and Goodin.

The resolution was read a second time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 390

Representative Bardon called down Engrossed Senate Bill 390 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 503: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 403

Representative Micon called down Engrossed Senate Bill 403 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 504: yeas 93, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 411

Representative Tincher called down Engrossed Senate Bill 411 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 505: yeas 95, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Denbo was excused.

Engrossed Senate Bill 412

Representative Micon called down Engrossed Senate Bill 412 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 506: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 434

Representative Moses called down Engrossed Senate Bill 434 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 507: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 448

Representative Pflum called down Engrossed Senate Bill 448 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 508: yeas 89, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 451

Representative Candelaria Reardon called down Engrossed Senate Bill 451 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 509: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Denbo, who had been excused, was present.

Engrossed Senate Bill 463

Representative Tincher called down Engrossed Senate Bill 463 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 510: yeas 72, nays 26. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 472

Representative Reske called down Engrossed Senate Bill 472 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 511: yeas 92, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 480

Representative Reske called down Engrossed Senate Bill 480 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military affairs.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Representative Crawford was excused from voting, pursuant to House Rule 46. Roll Call 512: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 490

Representative Micon called down Engrossed Senate Bill 490 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 513: yeas 61, nays 35. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 500

Representative Kuzman called down Engrossed Senate Bill 500 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning economic matters.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 514: yeas 77, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 506

Representative Tincher called down Engrossed Senate Bill 506 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 515: yeas 90, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 520

Representative L. Lawson called down Engrossed Senate Bill 520 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 516: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 529

Representative Bischoff called down Engrossed Senate Bill 529 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 517: yeas 81, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 536

Representative Austin called down Engrossed Senate Bill 536 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning economic development.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 518: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 559

Representative Bardon called down Engrossed Senate Bill 559 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 519: yeas 94, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 561

Representative L. Lawson called down Engrossed Senate Bill 561 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 520: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 562

Representative Summers called down Engrossed Senate Bill 562 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 521: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 566

Representative C. Brown called down Engrossed Senate Bill 566 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health care services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 522: yeas 91, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 44

Representative L. Lawson called down Engrossed Senate Bill 44 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage.

HOUSE MOTION
(Amendment 44-2)

Mr. Speaker: I move that Engrossed Senate Bill 44 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 2. IC 16-41-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) Except as provided in IC 16-41-10-2.5 and subsection (b), a person may not perform a screening or confirmatory test for the antibody or antigen to HIV without the **oral or written** consent of the

individual to be tested or a representative as authorized under IC 16-36-1. A physician ordering the test or the physician's authorized representative shall document whether or not the individual has consented. The test for the antibody or antigen to HIV may not be performed on a woman under section 5 or 6 of this chapter if the woman refuses under section 7 of this chapter to consent to the test.

(b) The test for the antibody or antigen to HIV may be performed if one (1) of the following conditions exists:

(1) If ordered by a physician who has obtained a health care consent under IC 16-36-1 or an implied consent under emergency circumstances and the test is medically necessary to diagnose or treat the patient's condition.

(2) Under a court order based on clear and convincing evidence of a serious and present health threat to others posed by an individual. A hearing held under this subsection shall be held in camera at the request of the individual.

(3) If the test is done on blood collected or tested anonymously as part of an epidemiologic survey under IC 16-41-2-3 or IC 16-41-17-10(a)(5).

(4) The test is ordered under section 4 of this chapter.

(5) The test is required or authorized under IC 11-10-3-2.5.

(c) A court may order a person to undergo testing for HIV under IC 35-38-1-10.5(a) or IC 35-38-2-2.3(a)(16).".

Renumber all SECTIONS consecutively.

(Reference is to ESB 44 as printed April 6, 2007.)

L. LAWSON

There being a two-thirds vote in favor of the motion, the motion prevailed.

COMMITTEE REPORT

Mr. Speaker: Your Committee of One, to which was referred Engrossed Senate Bill 44, begs leave to report that said bill has been amended as directed.

L. LAWSON

Report adopted.

The question then was, Shall the bill pass?

Roll Call 523: yeas 93, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 345

Representative Cheney called down Engrossed Senate Bill 345 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 524: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 372

Representative C. Brown called down Engrossed Senate Bill 372 for third reading:

A BILL FOR AN ACT concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 525: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 377

Representative Tyler called down Engrossed Senate Bill 377 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 526: yeas 94, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

OTHER BUSINESS ON THE SPEAKER'S TABLE

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1017, 1027, 1078, 1115, 1173, 1220, 1274, 1312, and 1339 with amendments and the same are herewith returned to the House for concurrence.

MARY C. MENDEL

Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1128 and 1256 and the same are herewith returned to the House.

MARY C. MENDEL

Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that Representative Koch be added as cosponsor of Engrossed Senate Bill 68.

DODGE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as cosponsor of Engrossed Senate Bill 329.

WELCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Walorski be removed as cosponsor of Engrossed Senate Bill 537.

CHENEY

Motion prevailed.

On the motion of Representative Noe, the House adjourned at 9:50 p.m., this tenth day of April, 2007, until Thursday, April 12, 2007, at 10:00 a.m.

B. PATRICK BAUER

Speaker of the House of Representatives

CLINTON McKAY

Principal Clerk of the House of Representatives